

AN ORDINANCE BY CITY UTILITIES COMMITTEE

AN ORDINANCE AMENDING THE 2002 WATER & SEWERAGE RENEWAL AND EXTENSION FUND BUDGET BY TRANSFERING FROM RESERVE ACCOUNT THE SUM OF \$1,500,000 FOR THE PURPOSE OF MAKING PAYMENT TO UNITED WATER SERVICES ATLANTA FOR METER INSTALLATIONS PERFORMED DURING FISCAL YEAR 2002; AND FOR OTHER PURPOSES.

WHEREAS, The City of Atlanta entered into an Agreement with United Water Services Atlanta to operate and maintain the City of Atlanta Water Supply System for 20 years; and

WHEREAS, Section 3.06 of the Agreement stipulates that United Water Services Atlanta shall perform all meter readings, installations, replacement and maintenance; and

WHEREAS, United Water Services Atlanta has installed meters in the year 2002, which currently totals approximately \$1,500,000 in monies due United Water for the work that the City has initially been able to verify for payment.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATLANTA; as follows:

SECTION 1: That the 2002 Water & Sewerage Renewal & Extension Fund Budget be amended as follows:

TRANSFER FROM APPROPRIATIONS

2J21 791001 T11001- Reserve For Appropriation 1,500,000

TRANSFER TO APPROPRIATIONS

2J21 774001 Q27J08039999- Water Mains, Various 1,500,000

SECTION 2: That the Department of Water be authorized to make payments to United Water Services Atlanta in the amount of \$1,500,000 for the 2002 water meters already installed, such sums representing monies associated with meter installations actually

performed by United Water and initially verified by the City; and that said amount to be charged to account number 2J21 574001 Q27J08039999

SECTION 3: That the payment of the \$1,500,000 to United Water for 2002 water meter installations will not affect the City's right to retain additional monies pending verification of punchlist work associated with the 2002 meter installations or the parties' rights under the Agreement to submit disputed amounts purportedly owed for meter installations to alternate dispute resolution under the Agreement.

SECTION 4. That all ordinances or parts of ordinances in conflict with this Ordinance are repealed.